

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Karen L. Bartlett, et al.

v.

Civil No. 08-cv-358-JL

Mutual Pharmaceutical Company, Inc., et al.

ORDER

Re: Document No. 92, Motion to Clarify

Ruling: Denied. The court will fashion a remedy, if warranted, without the proffered evidence. While the court expressed an inclination to grant the motion for sanctions, it has not yet done so, and will entertain the merits of the motion at the hearing. No inference should be drawn from the 90-minute time allotment regarding the actual length of the hearing, or "time per side." This is not an appellate court oral argument. The hearing will be as long or as short as necessary, with no specific allotment of time "per side." Further, the defendant is advised that the court does not accept the proposition that a waiver of the attorney client privilege would necessarily result from a more specific description of counsel's efforts to identify and locate the annual and periodic reports in question.

/s/ Joseph N. Laplante
Joseph N. Laplante
U.S. District Judge

Date: October 22, 2009

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